

**LABEL, IN PART:** (Cards) "Comegys \* \* \* A Compound of Black Pepper"; (packages, in small type) "Ingredients Contains pepper, buckwheat, farina, wheat flour, salt, oil of cubeb, oleoresin of capsicum, Cereal Base \* \* \* A Compound of Black Pepper."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Black Pepper" was false and misleading, since the product contained little or no pepper; and, Section 403 (f), the information required by law under Section 403 (i) (2), i. e., the common or usual name of each of the ingredients, was not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling of the food) as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use, since the statement of ingredients appeared on the label in small type.

**DISPOSITION:** December 22, 1947. A plea of nolo contendere having been entered on behalf of the partnership, and a plea of not guilty having been entered on behalf of the individual, the partnership was fined \$100 and the individual defendant was found not guilty.

**13193. Adulteration and misbranding of white pepper. U. S. v. 6 Cases \* \* \*.** (F. D. C. No. 24464. Sample No. 36452-K.)

**LIBEL FILED:** March 1, 1948, Western District of Washington.

**ALLEGED SHIPMENT:** On or about November 5, 1947, by the McClintock-Stern Co., Inc., from San Francisco, Calif.

**PRODUCT:** 6 cases, each containing 24 1-pound tins, of white pepper at Tacoma, Wash.

**LABEL, IN PART:** "Wood's De Luxe White Pepper."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and rodent hair fragments.

Misbranding, Section 403 (e) (1), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

**DISPOSITION:** April 1, 1948. Default decree of condemnation and destruction.

**13194. Adulteration of peppers. U. S. v. 400 Bags \* \* \*.** (F. D. C. No. 24572. Sample Nos. 15040-K, 15041-K.)

**LIBEL FILED:** April 1, 1948, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about February 6, 1948, by Young & Patterson (Tyler Warehouse Cold Storage Co.), from St. Louis, Mo.

**PRODUCT:** 400 bags, each containing 94 pounds, of peppers at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect excreta, and of a decomposed substance by reason of the presence of mold.

**DISPOSITION:** June 9, 1948. The W. J. Stange Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

**13195. Misbranding of mustard. U. S. v. 13 Cases \* \* \*.** (F. D. C. No. 24040. Sample No. 6034-K.)

**LIBEL FILED:** December 24, 1947, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about October 2, 1947, by H. F. Botsford & Co., from Carnegie, Pa.

**PRODUCT:** 13 cases, each containing 12 jars, of mustard at Youngstown, Ohio.

**LABEL, IN PART:** "Tweed's Prepared Mustard Contents 1 Lb. 4 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short-weight.)

**DISPOSITION:** April 23, 1948. H. F. Botsford & Co., claimant, having admitted the facts set forth in the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.